



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

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JOHN F. KRATTLI
County Counsel

July 30, 2013

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

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The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration #13 of JULY 30, 2013
500 West Temple Street
Los Angeles, California 90012

Agenda No. 4
03/26/13

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**Re: PROJECT NUMBER R2011-01892-(1)
CONDITIONAL USE PERMIT NUMBER 2011-00162-(1)
FIRST SUPERVISORIAL DISTRICT/THREE-VOTE MATTER**

Dear Supervisors:

Your Board previously conducted a duly-noticed public hearing on the above-referenced project. The project is a request to approve a conditional use permit to authorize the continued sale of alcoholic beverages for off-site consumption and a change from the existing Type 20 license for the off-site sale of beer and wine only to a Type 21 license for the off-site sale of a full line of alcoholic beverages. The conditional use permit will be used in conjunction with the operation of an existing CVS pharmacy store located at 848 and 858 North Sunset Avenue, within the unincorporated community of West Puente Valley. At the conclusion of the hearing, you indicated an intent to approve the permit and instructed our office to prepare findings and conditions for your consideration. Enclosed are findings and conditions for your consideration.

Very truly yours,

JOHN F. KRATTLI
County Counsel

By

Keane
PATRICIA KEANE
Senior Deputy County Counsel

APPROVED AND RELEASED:

Richard D. Weiss
RICHARD D. WEISS
Chief Deputy

PK:vn
Enclosures

c: William T Fujioka, Chief Executive Officer
Sachi A. Hamai, Executive Officer, Board of Supervisors

**FINDINGS OF THE BOARD OF SUPERVISORS
AND ORDER
PROJECT NUMBER R2011-01892-(1)
CONDITIONAL USE PERMIT NUMBER 2011-00162-(1)**

1. The Los Angeles County ("County") Board of Supervisors ("Board") conducted a duly-noticed public hearing in the matter of Conditional Use Permit ("CUP") No. 2011-00162-(1) on March 26, 2013. The County Regional Planning Commission ("Commission") previously conducted a duly-noticed public hearing on the CUP on October 31, 2012.
2. The permittee, Garfield Beach CVS, LLC ("permittee"), requests the CUP to authorize the continued sale of alcoholic beverages for off-site consumption and a change in the type of alcoholic beverages being sold in the C-2-DP (Neighborhood Business – Development Program) zone in connection with the operation of an existing CVS pharmacy store on a 0.275-acre parcel located at 848 and 858 North Sunset Avenue in the unincorporated community of West Puente Valley in the Puente Zoned District ("Project").
3. Pursuant to Los Angeles County Code ("County Code") section 22.28.160, the sale of alcoholic beverages for off-site consumption is allowed in this zone, provided a CUP is first obtained. Additionally, pursuant to section 22.56.195.A(2), establishments that currently sell alcohol, but propose to change the type of retail liquor license under which the establishment operates, require a CUP. The permittee requests to change the license type from a Type 20, which allows for the sale of beer and wine for off-site consumption, to a Type 21, which allows for the sale of beer, wine, and distilled spirits for off-site consumption. In order to sell a full line of alcoholic beverages for off-site consumption, the permittee must first obtain a Type 21 license from the California Department of Alcoholic Beverage Control ("ABC").
4. Vehicular access to the Project site is provided via Amar Road to the north and North Sunset Avenue to the west.
5. The Project site is currently developed with an existing 12,000-square-foot CVS pharmacy store and a 77-space surface parking lot. The Project site is rectangular in shape and relatively level.
6. The permittee's site plan, labeled Exhibit "A," for the CUP depicts the floor plan of the existing CVS pharmacy store as well as the store shelves. The site plan shows a total of 109 store shelves, of which seven are devoted to the sale of alcoholic beverages. These 109 shelves total 18,366 linear inches of shelving in the store, of which 2.96 percent or 2,424 linear inches, are depicted as devoted to alcohol sales.
7. The Project site is designated as Category 1 (Low-Density Residential) on the Los Angeles Countywide General Plan ("General Plan") Land Use Policy Map.

Low-density residential areas are areas that are particularly suitable for single-family detached housing units. The intent of this classification is to "maintain the character of existing low-density residential neighborhoods and also to provide additional areas to accommodate future market demand." The General Plan acknowledges that within the areas designated for low-density residential, a variety of use types and intensities exist. Such uses typically include local commercial and industrial services, along with community-serving public facilities, among other things. The existing CVS pharmacy store is such a local-serving commercial use located in an area within the community that is suitable for commercial development. The Project will compliment the line of products already sold in the existing CVS pharmacy store.

8. The Project site is zoned C-2-DP, which allows for the sale of alcohol in connection with the operation of the existing CVS pharmacy store with the approval of a CUP.
9. The surrounding properties within a 500-foot radius of the Project site are zoned as follows:

North: C-3-BE (Unlimited Commercial–Billboard Exclusion Zone);
South: A-1-6,000 (Light Agricultural–6,000 Square Foot Minimum Lot Size Required);
East: A-1-6,000; and
West: City of La Puente zoned parcels.
10. Surrounding land uses within a 500-foot radius of the Project site are as follows:

North: Vacant lot and single-family residences;
South: Single-family residences;
East: Single-family residences; and
West: A shopping center.
11. The Project site was rezoned in 1992 to A-1-6000, and there were several zoning cases approved on the Project site since the rezoning. Zone Change Case No. ZC 90-228-(1) was approved on August 6, 1992, and changed the zoning on the Project site from A-1-6,000 to its current zoning of C-2-DP. On March 13, 2002, CUP No. 01-194-(1) was approved to authorize the construction, operation, and maintenance of a CVS pharmacy store with a drive-through window and the sale of beer and wine for off-site consumption. The sale of alcohol on the Project site has been occurring since 2002 without any issues. On July 30, 2002, the CVS pharmacy store signs were approved with Case No. PP47397, which specified the locations and dimensions of the signs. On July 31, 2006, CUP No. 2005-00191-(1) was approved authorizing the construction and operation of an unmanned wireless telecommunications facility consisting of a 50-foot-high flagpole with three panel antennas located inside the pole and appurtenant equipment cabinets. CUP No. 01-194-(1), as it related to the alcohol sales, terminated by its terms on March 13, 2012, and the permittee filed a timely

renewal seeking approval of the CUP to authorize the continued sale of alcoholic beverages on the Project site and to allow for the sale of a full line of alcoholic beverages. The authorization to continue the operation and maintenance of the existing CVS pharmacy store did not terminate.

12. Prior to the Commission's public hearing, the Department of Regional Planning ("Regional Planning") staff received one phone call in opposition to the Project. Although the caller stated that he intended to participate in the public hearing, no one spoke in opposition at the Commission hearing. No other correspondence was received from the public regarding the Project.
13. Prior to the Commission's public hearing, Regional Planning staff determined that the Project qualified for a Class 1, Existing Facilities, categorical exemption from the California Environmental Quality Act ("CEQA") because the Project involved the continued sale of alcoholic beverages in an existing CVS pharmacy store, with negligible or no expansion of use beyond that which was previously existing.
14. On October 31, 2012, a duly-noticed public hearing was held before the Commission. The Commission heard a presentation from Regional Planning staff and testimony from a representative of the permittee. The permittee's representative also submitted a petition with 27 signatures in favor of the Project. There being no further testimony, the Commission closed the public hearing and determined that the Project was exempt from CEQA pursuant to the Class 1, Existing Facilities, categorical exemption. The Commission approved the CUP, including the addition of a condition requiring the permittee to conduct annual outreach to the community regarding the permittee's operations.
15. On November 7, 2012, pursuant to section 22.60.230.A of the County Code, Thomas McClean and Ed Ballat, representing the interests of other stores in the area selling alcohol, appealed the Commission's decision to the Board.
16. On March 26, 2013, the Board conducted a duly-noticed public hearing on the Project. The Board heard a presentation from Regional Planning staff. A representative of the permittee testified in favor of the Project and submitted a petition in favor of the Project. One member of the public testified in favor, and correspondence was also received supporting the Project. Two of the appellants, representing a number of liquor stores in the area, testified in opposition to the Project, primarily expressing concern about the impact of the Project on the other businesses in the area that sell alcohol. There being no further testimony, the Board closed the public hearing and determined that the Project was exempt from CEQA pursuant to a Class 1, Existing Facilities, categorical exemption, and indicated its intent to deny the appeal, thereby approving the CUP.
17. The Board finds that the Project is consistent with the goals and policies of the General Plan. The General Plan Land Use Element contains policies to ensure compatibility of development with the surrounding area. The General Plan seeks

to "[p]romote neighborhood commercial facilities which provide convenience goods and services and complement community character through appropriate scale, design, and location controls." (General Plan Land Use Element, pgs. III-12.) The Project is located within an existing CVS pharmacy store, which provides goods and services to the surrounding community. The existing CVS pharmacy store is located at a major intersection in the area, the intersection of Sunset Avenue and Amar Road, which is developed on all four corners with commercial uses and is easily accessible to the community.

18. The Board finds that the Project will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area, and will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, and general welfare.
19. The Board finds that the Project site is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping, and other development features as is required in order to integrate the Project into the surrounding area. The Project is consistent with applicable development standards in the C-2-DP zone, as set forth in section 22.28.170 of the County Code. Regional Planning staff visited the Project site on October 18, 2012, and found that the existing facilities include landscaping, parking, and signage that are consistent with the previous approvals for PP 47397 and CUP No. 01-194-(2). Regional Planning staff noticed that part of the property address on the north façade was missing and the County Sheriff's Department ("Sheriff's Department") requested that the address be maintained so as to be legible at all times. Therefore, a condition is included to require that the permittee replace the existing address with a legible property address on the north façade. The Project site includes 11 percent, or 7,875 square feet, of landscaped area, which exceeds the required minimum 10 percent landscaping. There are 77 parking spaces available, although only 48 spaces are required. The existing CVS pharmacy store includes 19 outdoor signs on the property previously approved by Regional Planning, which is consistent with the signage allowed on the Project site under the County Code and applicable approvals. There is no outside storage proposed. The height limit in the zone is 35 feet, and the building does not exceed 35 feet above grade.
20. The Board finds that the Project is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such uses would generate, and by other public or private facilities as are required.
21. The Board finds that the requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius. The Project site is located at a major intersection that is developed with commercial uses on all four corners of the intersection. Single-family residential uses are located to the east

and south of the Project site. The residential uses are separated from the Project site by a six-foot-high solid masonry wall and landscaping varying from six feet wide along Shadydale Avenue side to the east to 20 feet wide to the south, which creates a buffer between the residential uses and the Project site. There is one sensitive use, Sunset Elementary School, located within 600 feet of the Project site. However, only a portion of the school playground is within 600 feet of the Project site, and the playground is separated from the Project site by a major street (Sunset Avenue) and a large vacant lot that fronts on Sunset Avenue and does not contain a connection from the school to Sunset Avenue. The school's entrance is located on Tonopah Avenue to the west, and the school building and entrance are not within a 600-foot radius of the Project site. The Project site is adequately buffered and separated from the nearby sensitive uses. The permittee has agreed to conduct on-going outreach efforts to the school, and the CUP will be conditioned to require annual reports of the permittee's outreach efforts. The sale of alcoholic beverages is incidental to the CVS pharmacy store and will not appreciably change the existing operations in a manner that will impact the surrounding community.

22. The Board finds that, although there is a liquor store that sells alcohol for off-site consumption and a bar that sells alcohol for on-site consumption within 500 feet of the Project site, the Project provides a public convenience as it allows for the sale of a full line of alcohol in conjunction with the operation of a CVS pharmacy store. The Project will provide the public with a convenient location to shop for any number of items, including a full line of alcoholic beverages, in a safe and well-lit environment. The CVS pharmacy store is currently operating, and it represents a major financial investment in the area. The retail store and the pharmacy actively contribute to the community by both the creation of employment and economic stimulation to the area. Allowing the sale of a full line of alcoholic beverages incidental to the on-going operations enhances the economic vitality of the existing business. In compliance with County Code provisions, the Project is limited to having a maximum of five percent of the shelf space in the store devoted to the sale of alcoholic beverages. The permittee has submitted a site plan that shows a total of 2.98 percent of the shelf space devoted to alcohol sales, and therefore, the site plan confirms compliance with this requirement.
23. The Project site is located in Census Tract No. 4073.02. The Board finds that based on information from ABC, a total of three licenses for the sale of alcoholic beverages are permitted within this census tract, and one such license exists. Therefore, there is not an undue concentration of licenses in the census tract, and the Project will not create an over-concentration of licenses within the census tract pursuant to the provisions of ABC. However, the Board finds that based on the information provided, the Project site is located within a high-crime reporting district. The crime-reporting district for the subject community is District No. 1421. The average number of offenses per district Countywide was 152 criminal offenses. An area is considered "high crime" pursuant to ABC provisions if 120 percent of the average criminal offenses occur, which would be

182 offenses. The reported offenses for this district total 742, which exceeds 120 percent, therefore, making this a high-crime reporting district. As such, ABC would require a finding of public convenience and necessity in order to issue the alcohol license. The Sheriff's Department was consulted and confirmed that the crime incidents reported to the Sheriff's Department are not directly related to the CVS pharmacy operations, and therefore, did not object to the sale of a full line of alcoholic beverages at this location. The Board finds that the Project will provide a public convenience and necessity by providing a convenient location for customers to purchase alcohol in connection with the operations of an existing CVS pharmacy store.

24. The Board finds that the sale of a full line of alcohol will add to the product line already sold by the CVS pharmacy store and will improve its economic vitality. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community.
25. The Board finds that the exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood because no changes are proposed to the existing CVS pharmacy store.
26. The Board finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the CUP to 15 years.
27. The Board finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of La Puente community. On September 17, 2012, a total of 251 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project site, as well as three notices to those on the courtesy mailing list for the Puente Zoned District and to any additional interested parties.
28. The location of the documents and other materials constituting the record of proceedings upon which the Board's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits East Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE BOARD OF SUPERVISORS CONCLUDES THAT:

- A. The proposed use is consistent with the adopted General Plan.
- B. With the attached conditions, the requested use at the location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.
- C. The Project site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. The Project site is adequately served by highways or streets of sufficient width, and improved as necessary, to carry the kind and quantity of pedestrian, bicycle, and vehicle traffic such use would generate, and by other public or private service facilities as are required.
- E. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius.
- F. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area.
- G. The public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption at the proposed location outweighs the fact that it is located within a 500-foot radius of any other facility selling alcoholic beverages for either on-site or off-site consumption, in which case the shelf space devoted to alcoholic beverages shall be limited to not more than five percent of the total shelf space in the establishment.
- H. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community.
- I. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

THEREFORE THE BOARD OF SUPERVISORS:

1. Determined at the close of the Public hearing that the Project is exempt from the California Environmental Quality Act pursuant to a Class 1, Existing Facilities categorical exemption; and
2. Denies the appeal of the Regional Planning Commission's decision and thereby approves Conditional Use Permit No 2011-00162-(1) subject to the attached conditions.

CONDITIONS OF APPROVAL
PROJECT NUMBER R2011-01892-(1)
CONDITIONAL USE PERMIT NUMBER 2011-00162-(1)

1. This grant authorizes the continued sale of alcoholic beverages for off-site consumption in conjunction with the operation of an existing CVS pharmacy store and a change from the existing Type 20 license (for off-site sale of beer and wine only) to a Type 21 license (for off-site sale of beer, wine, and distilled spirits), subject to the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 9, and until all required monies have been paid pursuant to Condition No. 11. Notwithstanding the foregoing, this Condition No. 3, and Condition Nos. 5, 6, and 7 shall be effective immediately upon the date of final approval of this grant by the County.
4. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to section 22.60.260 of the Los Angeles County Code ("County Code").
5. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code section 65009 or any other applicable limitations period. The County shall notify the permittee of any claim, action, or proceeding, and the County shall reasonably cooperate in the defense. If the County fails to notify the permittee of any claim, action, or proceeding, or if the County fails to reasonably cooperate in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
6. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing make an initial deposit with Regional Planning in the amount of \$5,000, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation. At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein.

Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code section 2.170.010.

7. This grant shall expire unless used within 90 days from the date of final approval of the grant. A single, 30-day time extension may be requested in writing and with the payment of the applicable fees prior to such expiration date. For the purposes of this provision, continuing the off-site sale of alcoholic beverages along with the satisfaction of Condition No. 3 shall be considered use of this grant. In order to sell a full line of alcoholic beverages for off-site consumption, the permittee must first obtain a Type 21 license from the California Department of Alcoholic Beverage Control ("ABC").
8. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
9. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall record the terms and conditions of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
10. This grant shall terminate on the date that is 15 years from the date of final approval of this grant. Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new conditional use permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six months prior to the expiration date of this grant and shall be accompanied by the required fees. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of the property may require additional or different permits and would be subject to the then-applicable regulations.
11. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation

applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file at Regional Planning. The permittee shall deposit with the County the sum of \$1,600. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for eight biennial (one every other year) inspections. Inspections shall be unannounced.

12. If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any condition of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200 per inspection, or the current recovery cost at the time any additional inspections are required.
13. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated, that this grant has been exercised so as to be detrimental to the public's health or safety, so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code. In the event the County deems it necessary to initiate such proceedings pursuant to Chapter 22.56, Part 13 of the County Code, the permittee shall compensate the County for all costs incurred in such proceedings.
14. All development pursuant to this grant must be kept in full compliance with the requirements of the County Department of Public Works, the County Fire Department, and the County Department of Public Health.
15. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A" on file with Regional Planning, or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
16. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
17. Except for seasonal decorations or signage provided by or for a civic non-profit organization, all structures, walls, and fences open to public view shall remain

free of extraneous markings, drawings, or signage that do not directly relate to the use of the property or provide pertinent information about said premises. In the event any such extraneous markings become visible, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of their visibility, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

18. The subject property shall be developed and maintained in substantial compliance with the approved plans on file at Regional Planning marked Exhibit "A." If changes to the site plan were required as a result of instructions given at the public hearing, a revised Exhibit "A" application shall be submitted to Regional Planning within 60 days of the date of final approval. In the event that subsequent plans are submitted, the written authorization of the property owner is required.

PERMIT SPECIFIC CONDITIONS

19. The conditions of this grant shall be retained on the premises at all times and shall be immediately produced upon request of any County Sheriff, zoning inspector, or ABC agent. The permittee shall ensure that the manager and all employees of the facility shall be knowledgeable of the conditions herein.
20. Loitering shall be prohibited on the subject property. Signage in compliance with Chapter 22.52, Part 10 of the County Code shall be placed on the premises indicating said prohibition. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary.
21. The permittee and all managers and designated employees of the establishment, who are authorized to sell alcoholic beverages, shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program, or other similar program, provided by ABC. All new designated employees shall be required to attend. The permittee shall display a certificate or plaque in a publicly accessible area of the establishment indicating that they have participated in this program. Proof of completion of the facility's training program by employees, the permittee, and all managers shall be available upon request.
22. The permittee shall not advertise the sale of alcoholic beverages on the exterior of any structure on the subject property including, but not limited to, windows, walls, fences, or similar structures.
23. All regulations of the State of California prohibiting the sale of alcoholic beverages to minors shall be strictly enforced.
24. The permittee shall post or otherwise provide telephone numbers of local law enforcement agencies at or near the cashier, or similar public service area. Such telephone numbers shall be visible by and available to the general public.

25. The consumption of alcoholic beverages shall be prohibited on the subject property. The permittee shall post signage on the premises prohibiting consumption of alcoholic beverages on the premises.
26. No sale of alcoholic beverages shall be made from a drive-through window.
27. The permittee shall only sell alcohol during normal operating hours of the existing CVS pharmacy store, but in no event shall the permittee sell alcohol between 2:00 a.m. and 6:00 a.m., seven days per week, in compliance with State law.
28. No display of alcoholic beverages shall be made from an ice tub.
29. The permittee shall display alcoholic beverages only in the cooler or on shelving designated for display of said beverages as depicted on the "shelf plan" shown on the approved plans on file with Regional Planning marked Exhibit "A." No additional display of alcoholic beverages shall be provided elsewhere on the premises.
30. The total amount of shelf space devoted to the sale of alcoholic beverages shall not exceed five percent of the total amount of shelf space in the store as shown on the approved plans marked Exhibit "A" and on file with Regional Planning.
31. There shall be no coin-operated amusements, such as pool tables, juke boxes, video games, small carousel rides or similar riding machines on the subject property, with the exception of official State Lottery machines.
32. Employees on duty after 10:00 p.m. who sell alcoholic beverages shall be at least 21 years of age.
33. Beer in containers of 16 ounces or less shall not be sold by single container, but shall be sold in manufacturer prepackaged multi-unit quantities. The permittee shall post signs on the coolers and cashier station stating the selling of single containers of beer is prohibited.
34. There shall be no wine, with the exception of wine coolers, sold in containers of less than 750 milliliters. No miniatures of any type may be sold. Wine coolers shall not be sold in less than the manufacturer's prepackaged four-pack quantities.
35. No malt liquors with alcohol content greater than five percent by volume shall be sold.
36. The sale of fortified wines shall be prohibited.
37. No alcoholic beverages shall be displayed within five feet of the cash register or the front door unless the alcoholic beverages are in a permanently affixed cooler.

PROJECT SITE SPECIFIC CONDITIONS

38. The permittee shall provide and continuously maintain 77 on-site standard parking spaces with four spaces reserved as disabled accessible with the appropriate access to the subject CVS pharmacy store. The disabled parking spaces shall be 14 feet wide and striped to provide a nine-foot parking area and a five-foot loading and unloading area in compliance with the American With Disabilities Act requirements.
39. No outside storage is permitted.
40. Landscape planters of at least five feet in width shall be provided along Amar Road and Sunset Avenue. The width of the planters shall be increased to the extent that it does not conflict with the provision of buffer landscaping adjacent to the surrounding single-family residences or interfere with vehicular access and circulation as determined by the Director.
41. All landscaping shall be maintained in a neat, clean, and healthy condition, and the permittee shall ensure that proper pruning, weeding, removal of litter, fertilizing, and replacement of plants occurs when necessary.
42. The permittee shall replace the existing address identification sign on the exterior north façade of the building with a legible and complete address of the subject property within 60 days of the date of final approval of this grant.
43. The permittee shall provide adequate lighting above all entrances and exits to the premises. All lighting required by this grant shall be of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons within lighted areas during operating hours and shall be designed so as to direct light and glare only onto the facility premises. Said lighting and glare shall be hooded, deflected, shaded, and focused away from all adjoining properties to prevent direct illumination and glare. The permittee shall provide adequate lighting in all parking areas and walkways under control of the permittee.
44. All litter and trash shall be collected regularly from the premises and the adjacent right-of-way.
45. The permittee shall provide an annual report regarding outreach to the community, and specifically outreach to the Sunset Elementary School regarding the compatibility of the use with the surrounding community. The report shall be addressed to the Zoning Enforcement East Section.